IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Criminal Misc-M-24299 of 2007

Date of decision: 24.7.2007

Ravinder Kumar @ Titu …Petitioner

Versus

State of Haryana …Respondent

Present: Mr Puneet Bassi, Advocate for the petitioner.
Mr Vikas Chaudhary, AAG Haryana.

S.S. SARON, J.

Heard counsel for the parties.

The petitioner seeks pre-arrest bail in case registered against him for the offences under Sections 272, 273 and 420 IPC.

SI Mohinder Singh along with other Police officials were present at the turn of the Auto Market. There he met ASI Bal Krishan and Constable Ramphal who were not in uniform. A secret information was received there that the petitioner along with his servant – Mahesh does the business of selling spurious desi ghee in Sunder Nagar, Hisar near the temple. They were making spurious desi ghee on that day and if a raid was conducted they could be caught red-handed. An application was sent to CMO Hisar, that Food Inspector and one doctor for taking sample be deputed and thereafter a decoy was sent to purchase the ghee. After the ghee had been purchased, the Police party raided the place where ghee was being prepared and one of the two persons, on seeing the Police party, fled away.

At the time of motion hearing, it was submitted by the State counsel that the report of the chemical analysis has not been received. Accordingly, the petitioner was granted interim bail vide order dated 25.4.2007. Today, when the case was taken up for hearing, the report of the Public Analyst dated 8.5.2007 has been received, the result of which is 'nil'. Accordingly, an application seeking discharge of the accused was filed by the complainant – SI Mohinder Singh in the Court of learned CJM Hisar. His statement was recorded that in view of the report of the Public Analyst, discharge report has been filed. In view of the discharge report and the report of the Public Analyst, the learned CJM has observed that no case is made out against the petitioner and accordingly he has been discharged vide order dated 5.6.2007 and his bail bonds also cancelled.

In view of the above, the present petition has been rendered infructuous and is accordingly disposed of.

24.7.2007. (S.S.SARON)
ASR JUDGE